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AMCCC-PL

POINT PAPER

14 June 2000

SUBJECT: Applying Protest Lessons Learned Instantly (APPLI)

PURPOSE: Provide information about the new initiative to share our knowledge by applying protest lessons learned.

FACTS:

- The Army Federal Acquisition Regulation Supplement requires a bid protest quarterly report that we furnish to DA. AFARS 33.190-2. The reports require information on the number of protest cases, issues raised and lessons learned. The information is furnished to DOD for consolidation with the other services. In years past, the focus has been on analyzing lost cases only.

- The Bid Protest/Litigation Branch of Command Counsel began to concentrate on sharing lessons learned when we win a case. The goal was to provide useful information to newer attorneys and to give us insight into the appropriate level of risk to take in procurement actions.

- At first, the Lessons Learned were shared by e-mail through our Protest POCs in each legal office. We then encouraged the submission of lessons learned at our Protest VTC on 1 Feb 00 and announced the APPLI initiative.

- For the FY 00 Second Quarterly Report we received many more submissions, which emphasized how we could improve even in cases we have won.

- We have taken the lessons learned and reformatted them as questions. For example:

00-1. How many companies should be solicited under a Federal Supply Schedule buy?

Safety Storage, Inc., B-283931, Withdrawn
POC Les Renkey, DSN 745-6692 (AMC Vera Meza)

Protest of an order placed under an optional federal supply schedule. The protest was filed by a company that had been contacted by the using activity for information but was not solicited for a quote by the contracting office. The purchasing agent contacted three companies on GSA Advantage as required by the regulations and the company contacted for information was not on the GSA Advantage listing. The protest could have been avoided by the purchasing agent requesting a quote from the company that had submitted information, not just the minimum required for regulatory compliance.

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- The lessons learned will be indexed so that issues are easily retrievable by word search or some similar method. This will result in a more systematic and candid method of in-house communication.
- Publication of lessons learned will follow the Quarterly Bid Protest Report so that the new initiative will not appreciably increase anyone's workload.
- The goal is to keep the entire legal and acquisition community in the know about current protest issues and provide them with practical guidance and experience on actual cases.

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